

REMARKS

Claims 1, 3-12 and 14-20 are pending in the application, as amended. Claims 2 and 13 have been canceled. Claim 1 has been amended to incorporate the subject matter of claim 2, and claim 12 has been amended to incorporate the subject matter of claim 13. No new matter has been added with this amendment

Claim Rejections – 35 U.S.C. § 102 – Claims 1-7 and 12-18

Claims 1-7 and 12-18 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 1,228,836 (“Schulse”). Applicant respectfully traverses this rejection of claims 1-7 and 12-18 as amended.

Schulse discloses a water cooler having communicating vent tubes s and t to allow the intake of air into an upper bottle D during discharge of water contained in the upper bottle D into a lower container C. Schulse discloses that an inlet to the vent tube t “terminates slightly below the mouth” of a neck of the bottle D (see page 8, lines 45-56). At lines 79-94, page 3, Schulse further teaches that:

[b]y extending the lower end of the of the air tube, t, slightly below the mouth of the bottle and which mouth is represented in the present instance by the lower portion of the filter shell or casing, this end of the tube is sealed by the water in the container, C, but the lower end of the bottle, represented by the lower end of the filter shell or casing is not submerged; in fact, it does not come in contact with the water to be consumed and consequently there can be no contamination of the water entering the container, C, by reason of this water coming in contact with parts of the bottle which are usually handled by those whose duty is it so renew the bottle at stated times.

Therefore, Schulse clearly teaches that when the bottle D is operatively engaged with the container C, the inlet end of the vent tube t must be positioned below the mouth or opening of the bottle D, to help avoid contamination of the water held in the container C.

Claims 1 and 12, as amended, are respectively directed to “[a] low-noise liquid distribution system for delivering a liquid to a user” and “[a] liquid holding and distribution tank

for a liquid distribution system having a reservoir for holding and delivering liquid from the tank”. Both claim 1 and claim 12 recite in pertinent part:

an opening located in at least one of the walls for
distributing a quantity of liquid from the tank under gravity to the
reservoir; and
a vent tube having:
an inlet end that is located outside of the tank and is
positioned above the tank opening, and
an outlet end that is located in the tank interior; ...
(emphasis added)

Claims 1 and 12 have been amended to incorporate the subject matter of cancelled claims 2 and 13, respectively.

Schulze fails to disclose a vent tube having an inlet end that is positioned above a tank wall opening. On the contrary, as discussed above Schulze teaches away from positioning the lower end of the vent tube above the bottle mouth opening, as positioning the lower end of the vent tube above the mouth opening allows the bottle mouth to become submerged within the water in the container, thus contaminating the water. Furthermore, if the lower end of the vent tube t of Schulze were positioned above the bottle opening, the venting function of the vent tubes t and s would be defeated, as the vent tube t would be located within the bottle mouth, and would not have full access to atmospheric vent air as water is discharged from the bottle D into the container C. Accordingly, the Applicant respectfully submits that claims 1 and 12 as amended, and claims 3-7 and claims 14-18 depending respectively therefrom, are not anticipated by Schulze, and requests that the rejection of these claims under 35 U.S.C. § 102(b) be withdrawn.

Claim Rejections – 35 U.S.C. § 102 – Claims 1-20

Claims 1-20 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 3,125,135 (Boyer *et al.*, hereinafter “Boyer”). Applicant respectfully traverses this rejection of claims 1-20, as amended.

Boyer discloses a liquid filling device for transferring liquid (such as a volatile fuel) from a supply container 12 into a fuel container 10. The device of Boyer comprises four fittings 13, 14, 22 and 23. When the fuel container 10 is operably engaged the supply container 12, fittings 13 and 22 are joined together to form a fuel delivery line and fittings 14 and 23 are

joined together to form a vent line. During the liquid transfer process, liquid flows from the supply container 12 into the fuel container 10 through the fuel delivery line, while simultaneously vapor in the fuel container 10 vents into the supply container 12. This simultaneous exchange of liquid and vapor continues until such time as the liquid in the fuel container 10 reaches a level corresponding to line 11 (Fig. 2), whereupon continued flow of the liquid creates a vacuum condition in the supply container 12 sufficient to overcome the gravitational head of the liquid in the supply container 12, and thus to terminate flow of liquid from the supply container 12 into the fuel container 10. See column 3, lines 36-62.

Boyer discloses a lower end of the vent line being located below a discharge opening of the liquid fill line (that is, the lower end of fitting 14 is below the lower end of fitting 13). Furthermore, Boyer teaches that the position of the lower end of the vent line below the discharge opening of the liquid fill line is material to the operation of the invention, as otherwise the fill line level 11 would be moved above the discharge opening of the liquid fill line, resulting in a mode of operation which is not only not disclosed, taught or suggested by Boyer, but clearly not intended by Boyer, as such an arrangement would defeat the operational scenario outlined in column 3, lines 36-62 and described above herein.

As discussed above, Claims 1 and 12, as amended, recite the feature of

a vent tube having:
an inlet end that is located outside of the tank and is
positioned above the tank opening, and
an outlet end that is located in the tank interior; ...
(emphasis added)

Boyer fails to disclose a vent tube having an inlet end that is positioned above a tank wall opening. On the contrary, as discussed above, Boyer not only fails to disclose, teach or suggest this feature, but indeed teaches away from positioning of the vent tube lower end above the bottle mouth opening, as positioning the vent tube lower end above the mouth opening would modify the preferred mode of operation disclosed by Boyer. Accordingly, the Applicant respectfully submits that claims 1 and 12, as amended, and claims 3-11 and claims 14-20 depending respectively therefrom, are not anticipated by Boyer, and requests that the rejection of these claims under 35 U.S.C. § 102(b) be withdrawn.

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CONCLUSION

In view of the foregoing amendment and remarks, Applicant respectfully submits that the present application, including claims 1, 3-12, and 14-20, as amended, is in condition for allowance, and such action is respectfully requested.

Respectfully submitted,

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